

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 6th day of January, 2014 the City Council of the City of Aransas Pass convened in a Regular Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT:

Adan Chapa	Mayor
Phillip Hyatt	Mayor Pro Tem
Billy Ellis	Council Member
Vickie Abrego	Council Member
Ramiro Gomez	Council Member

ABSENT:

ADMINISTRATIVE
PERSONNEL PRESENT:

Allen Lawrence	City Attorney
Sylvia Carrillo	City Manager
Yvonne Stonebraker	City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT:

Amanda Torres	Administrative Assistant
Eric Blanchard	Chief of Police
Michael Holmes	Building Official
Donna Cox	Finance Director
Jeff Martin	IT Director
Rick Kilgore	Fire Chief

OTHERS PRESENT: Mack Oliver, Donald Brummett, Ernie and Olivia Torres, Barb Oxford, Carol Salinas, Jon Pierre Gonzales, Scott Harris, Annita West/Aransas Pass Progress, Alec Johns, Mike and Jan Moore, Rosemary Vega/Chamber of Commerce, C. Rodriguez, Jason Gilden, Patty Gilden, and Patsy Lawrence.

There may have been others present who did not sign in.

2. **CALL MEETING TO ORDER.**

Mayor Chapa called the meeting to order at 7:02 PM.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Mayor Chapa gave the Invocation and led the Pledge of Allegiance to the United States Flag.

3. **CONSIDER AND ACT ON MINUTES OF JANUARY 6, 2014.**

Motion Made By: Mayor Pro Tem Hyatt
Seconded By: Council member Abrego
Votes: Aye – Hyatt, Abrego, Ellis, Gomez
Nay:

Discussion: Mayor Chapa stated agenda item number 13 had a 4-1 vote but in the discussion area had the agenda item carrying unanimously. Mayor Chapa stated agenda item number 13 needed to be corrected. The January 6, 2014 minutes were approved with corrections.

4. **PRESENTATION OF RECOGNITION CERTIFICATES: OVERBID - LIBRARY; COASTAL BEND FOUNDATION – BILLBOARD AT HARBOR; ED AND HAZEL RICHMOND – LIBRARY; ART TEACHER APTS – SIGN; AND LEADERSHIP AP – SIGNS.**

Mayor Chapa recognized the following organizations for their contributions to the City:

- Aransas Pass Overbid Property Trust - \$9,000.00 donation to Library
- Ed & Hazel Richmond- \$5,000 Donation to the Library
- Coastal Bend Foundation -\$7,000 donation for billboard at Harbor and \$5,000 donation for playground equipment
- Aransas Pass HS Art Class – Harbor mural
- Leadership Aransas Pass – Improvement to city welcome signs

5. **CONSIDER AND ACT ON REQUEST OF MR. MIKE MOORE FOR HOTEL/MOTEL FUNDS NOT TO EXCEED \$20,000 FOR ROCK THE DOCK BOAT SHOW TO BE HELD APRIL 4-6, 2014.**

Motion Made By: Council member Abrego

Seconded By: Mayor Pro Tem Hyatt

Votes: Aye – Abrego, Hyatt, Gomez, Mayor Chapa

Nay: Council member Ellis

Discussion: Council Member Abrego made the motion to approve Mr. Mike Moore's request. Redfish Bay Boat House has held the Rock the Dock Boat Show for the past few years, and the event is a major draw for tourists to the City. Redfish Bay markets the boat show via various types of media and other boat shows. Rock the Dock Boat Show will be held April 4-6, 2014. The motion carried 4-1.

6. **CONSIDER AND ACT ON REQUEST OF HABITAT FOR HUMANITY FOR WAIVING/REDUCING LIENS ON LOTS 17 – 19, BLOCK 320, 700 BLOCK W. MATLOCK.**

Motion Made By: Mayor Pro Tem Hyatt

Seconded By: Council member Abrego

Votes: Aye – Hyatt, Abrego, Gomez, Ellis

Nay:

Discussion: Mayor Pro Tem Hyatt made a motion to deny Habitat for Humanity's request of waving/reducing lien. Habitat for Humanity is in the process of purchasing property on Matlock Ave. for the next Habitat for Humanity home. The property transaction was required to have occurred before December 31, 2013. In order to close on the property, Mr. Keller paid a lien of \$380.00, and would now like the City to reimburse this expense to him. The motion carried unanimously.

7. **CONSIDER AND ACT ON REQUEST OF MR. SAMUEL DE LEON TO FORGIVE A PRIOR WATERBILL OWED TO THE CITY OF ARANSAS PASS.**

Motion Made By: Council member Abrego

Seconded By: Mayor Pro Tem Hyatt

Votes: Aye – Abrego, Hyatt, Gomez, Ellis

Nay:

Discussion: Council member Abrego made a motion to deny the request of Mr. Samuel De Leon to forgive a prior waterbill. Mr. DeLeon came in to establish service for an account at 611 N. McCampbell. Staff advised Mr. DeLeon of a past due amount. Staff did not flag the account, and subsequently Mr. DeLeon's girlfriend opened the water account at the same address. The service was disconnected for non-payment and when attempted to be re-opened staff notified Mr. DeLeon of the past due amount of approximately \$469.03. Mr. DeLeon disputes the amount owed advising others used the account, however, the account and responsible party to the account was Mr. DeLeon. Mr. DeLeon has advised that past administration advised him that he would not need to make the past due payment. Staff has no record of any such agreement. The motion carried unanimously.

8. **CONSIDER AND ACT ON APPROVING ASBESTOS REMOVAL ON THE CITY OF ARANSAS PASS BUILDING LOCATED 820 W. WHEELER AVENUE.**

Motion Made By: Council member Abrego
Seconded By: Mayor Pro Tem Hyatt
Votes: Aye – Abrego, Hyatt, Gomez, Ellis
Nay:

Discussion: Council member Abrego made a motion to approve asbestos removal from 820 W. Wheeler, a city owned building. An asbestos survey was conducted on October 02, 2013 and the report was submitted on October 08, 2013. The report determined that there were levels of ACM in the floor tile, floor tile mastic and the roofing mastic that will require an abatement process to clear the building of asbestos material before the demolition can begin. City employees will demolish the building once asbestos removal is completed. The motion carried unanimously.

9. CONSIDER AND ACT ON APPROVING BID FOR TERMITE EXTINCTION AT THE ED AND HAZEL RICHMOND LIBRARY.

Motion Made By: Passed
Seconded By:
Votes: Aye –
Nay:

Discussion:

10. CONSIDER AND ACT ON APPROVING A SERVICE CONTRACT BETWEEN THE CITY OF ARANSAS PASS AND H.D. SUPPLY COMPANY.

Motion Made By: Mayor Pro Tem Hyatt
Seconded By: Council member Ellis
Votes: Aye – Hyatt, Ellis, Gomez, Abrego
Nay:

Discussion: Mayor Pro Tem Hyatt made a motion approving a service contract between the City of Aransas Pass and H.D. Supply Company. Meter reading equipment is critical to the city's utility billing operations. The equipment has traditionally been very dependable, but is aging. The service agreement covers not only the mechanics of the equipment but updating the software as well. To approve entering into a 1 year service agreement with HD Supply for maintenance and service of meter reading equipment and software updates. Annual fee is \$6,100.00. The motion carried unanimously.

11. CONSIDER AND ACT ON APPROVING A CONTRACT WITH G & K SERVICES FOR PUBLIC SAFETY APPAREL.

Motion Made By: Mayor Pro Tem Hyatt
Seconded By: Council member Gomez
Votes: Aye – Hyatt, Gomez, Ellis Abrego
Nay:

Discussion: Mayor Pro Tem Hyatt made a motion approving a contract between the City of Aransas Pass and G. & K. Services for public safety apparel. The City of Aransas Pass currently issues a \$60 monthly uniform allowance for fire department staff. This amounts to approximately \$7,900. Of this allowance amount, staff is expected to purchase uniforms, boots, and other necessary gear. In prior years, the department budget was only \$4,440 with the offset in cost covered in materials or supplies. The contract with G&K Services would outfit staff with the necessary uniforms, laundering services, and a replacement schedule, at a cost of \$108.51 per week, or \$5642.52 while saving the city approximately \$2,200. This additional savings would allow the City to provide a boot allowance similar to the allowance given to Public Works staff; more importantly, it would create a more cohesive and professional appearance among the staff. The motion carried unanimously.

12. CONSIDER AND ACT ON RESOLUTION AUTHORIZING EXECUTION OF TRANSFER OF FUNDS (WIRE TRANSFERS) AGREEMENTS; SCHEDULE A - AUTHORIZED REPRESENTATIVES TO INITIATE WIRE TRANSFERS; SCHEDULE B – WIRE TRANSFER

**CONFIRMATION AUTHORIZATION; AND, WIRE TRANSFER SECURITY PROCEDURE
WAIVER AGREEMENT BETWEEN THE CITY OF ARANSAS PASS AND PROSPERITY
BANK.**

Motion Made By: Council member Abrego

Seconded By: Council member Ellis

Votes: Aye – Abrego, Ellis, Hyatt, Gomez

Nay:

Discussion: City Manager Carrillo stated the following documents were standard agreements by Prosperity Bank dealing with wire transfers.

Council member Abrego made a motion to approve a Resolution authorizing execution of transfer of funds (wire transfers) agreements; Schedule A - authorized representatives to initiate wire transfers; Schedule B – wire transfer confirmation authorization; and, wire transfer security procedure waiver agreement between the City of Aransas Pass and Prosperity Bank. The motion carried unanimously.

13. UPDATE ON 2012 EXISTING BUILDING CODES BY BUILDING OFFICIAL MICHAEL HOLMES.

Discussion: Building Official Michael Holmes and City Manager Sylvia Carrillo discussed with Council the benefits of the 2012 Existing Building Code as it establishes minimum regulations for existing buildings using prescriptive and performance-related provisions. The code is founded on broad-based principles intended to encourage the use and reuse of existing buildings while requiring reasonable upgrades and improvements. The 2012 Existing Building Code's first edition was in 2003. The code's main intent is to encourage the use of existing buildings in a way that adequately protects the public health, safety and welfare in a way that does not unnecessarily increase construction costs. In addition, the code's provisions are presented in a way that do not restrict the use of new materials, products or methods of construction while keep open options in the use of those materials and construction methods.

14. CONSIDER AND ACT ON ORDINANCE NO. 2014- 4059 - AN ORDINANCE REPEALING OR AMENDING CERTAIN SECTIONS OF CHAPTER 5 - BUILDINGS AND CONSTRUCTION OF THE CODE OF ORDINANCES OF THE CITY OF ARANSAS PASS, TEXAS; PROVIDING A REPEALER PROVISION; AND, PROVIDING FOR AN EFFECTIVE DATE.

Motion Made By: Council member Abrego

Seconded By: Council member Ellis

Votes: Aye – Abrego, Ellis,

Nay: Gomez

Discussion: Council member Abrego made a motion to approve Ordinance No. 2014- 4059 - an ordinance repealing or amending certain sections of Chapter 5 - Buildings and Construction, of the Code of Ordinances of the City of Aransas Pass, Texas; providing a repealer provision; and, providing for an effective date.

City Manager Carrillo stated the City of Aransas Pass had been removed from the ISO rating because the City of Aransas Pass was working with the 2000 Building Codes. She stated the ISO rating affected the fire insurance. City Manager Carrillo stated the 2012 Building Codes affected new construction and they do allow for amendments.

Building Official Holmes stated the 2012 Building Codes were important because they affected the two most important factors: foundations and windstorm.

Council Member Gomez stated the 2012 Building Codes were a big change for the City of Aransas Pass and he (Gomez) believes adopting the current codes would deter new construction in Aransas Pass.

15. 2013 YEAR IN REVIEW FOR THE CITY OF ARANSAS PASS.

City Manager Carrillo shared with City Council the top five accomplishments of each city department for 2013.

Fire Department

- The department adopted an ordinance that would charge for hazardous material incident responses in the city or county.
- With the help of the City Manager and Building Official, the 2012 Fire Codes were adopted. The department had been working toward adopting the latest codes for about three years.
- The fire department also taught fire prevention to local school children and day care attendees. Around 500 students were taught in the first week of October 2013.
- At the end of the year, the fire department began preparing two new brush trucks before the fire season started again.
- Also, the department has been able to keep a full staff of paid firefighters with the help of the City Manager.

Public Works

- Public Works staff completed ArcGIS training at Del Mar College.
- Staff received training in the City's new IWork work order system.
- A program has been implemented to cross-train staff to be used in other departments and develop different skill sets.
- The Citizens' Collection Center now has the capability to receive cash or credit card payments on site.
- Animal Control reported a high increase in adoptions.
- The Parks Department began mowing properties identified by Code Enforcement as not being maintained by the property owner.

Water Department

- In 2013, 3,090 feet of pipeline, four valves, and three fire hydrants were repaired.
- Thirty water taps were completed.
- The department responded to 59 water leaks and 35 stopped sewer calls.
- The City entered a contract with Utility Services to repair the Elevated Water Storage Tower and two Ground Storage Tanks.
- The department worked with GrantWorks to procure a grant for a water line extension on Highway 1069.
- Repairs were made to the Wastewater Treatment Plant that include building a concrete apron for septic truck dumping and installing new wires for clarifiers.

Finance Department/Utility Services

- In 2013, 618 new utility customer accounts were opened.
- 851 new meters were installed.
- 2,580 service orders were completed.
- As of December 31, 2013, there were 3,931 active accounts being serviced monthly.
- In 2013, the Finance Department wrote 4,393 checks for a total of \$14,036,383.93 in payments.
- 42,963 payments were received and processed.

City Secretary/City Council

- Twenty-two ordinances were codified in 2013: one personnel policy revision, 14 amended ordinances and 7 new creations.
- The City dropped its previous insurance carrier and signed with Texas Municipal League health insurance, saving the City \$150,000. Employees also receive additional vision and dental benefits from the plan.
- The Texas Department of Agriculture and GrantWorks conducted an on-site monitoring and exit interview for the City. The City did well in the exit interview.
- There is improved coordination with the Finance Department, City Manager and City Secretary for all city contracts and obligations.
- The City also entered into an agreement for digital scanning/imaging for ordinances and resolutions.

Information Technology

- The Information Technology department split the City Hall and Police Department networks. This made it easier for us to comply with federal security regulations for the PD.
- In addition, the department improved our Facebook, Twitter and other social media outlets by hiring a social media intern. We are now up to over 500 'likes' on Facebook.
- City Council meetings are now viewable LIVE via livestream and citizens can also go back and watch previous Council Meetings at will.
- The department upgraded the City's internet connection to a 20M/20M fiber optic internet connection to help meet the needs of the new technology the City is using both in City Hall and the PD.
- A work order system was implemented for Public Works to help make staff more efficient as well as improve customer service.

Municipal Court

- Judge Howe was appointed to Associate Municipal Court Judge on May 7, 2012 and promoted to Presiding Judge on September 27, 2013.
- A new policy was implemented to "open" court, allowing walk-in defendants to be seen by a judge five days a week.
- In addition, cash or surety bonds for arrestees are now required on municipal charges.
- Also, a new policy was enacted to deal with arrest warrants after defendant contacts court.
- The Court also will use new collection procedures for outstanding fines.

Ed & Hazel Richmond Public Library

- In 2013, the Library circulated 27,194 books.
- There were 20,745 Internet users.
- There were 27,808 visits to the Library.
- 4,975 children attended children's programs held by the Library.
- The Library received around \$14,000.00 in donations.

Senior Center

- The Senior Center has provided free transportation to around 38-50 people per month.
- Quarterly, free hearing aid tests have been provided. 40 people took advantage of this service.
- A sizable crowd attended the Thanksgiving potluck luncheon.
- The Senior Center hosted the annual Boy Scout Dinner, which it has hosted for over 26 years.
- In December, the Center conducted a raffle for a quilt. Proceeds from the raffle will fund a special lunch for Senior Center attendees.

Aquatics Center

- This year, the Aquatics Center has hosted Lifeguard Certification Courses.
- In addition, the Center conducted in-service training sessions with certified Lifeguard Instructors.
- There were no facility closures due to pool chemistry or safety hazards.
- Staff booked all private party reservation dates for the season.
- At the end of the year, the Aquatics Center partnered with Texas A&M University—Corpus Christi to host a kayak course to be held in early 2014.

Civic Center

- The APCC hosted more than 170 events. The variety of events include weddings, trade shows, non-profit dinners, birthday celebrations, school functions, luncheons, fishing tournaments, and training classes.
- The APCC saw over 28,000 in general attendance come through our doors.
- The APCC reinvested in facility with building maintenance to include a new fence, interior paint job, and a variety of miscellaneous projects bringing the public a top notch Civic Center.
- The APCC has updated its website to be more user friendly, up to date, and easy to navigate.
- In April, the Center replaced its LED sign out front with a new and improved sign. This sign helps inform the public of current happenings in our community.

Conn Brown Harbor

- Improvements are being made to the boat launch parking lot and bathroom.
- New blue shingles were installed on the picnic tables and bathroom roofs were painted blue to match.

- The Boat Show and nine fishing tournaments brought recognition to the City.
- Concrete is being removed; sites have been mowed and cleaned.
- Big boats on land have also been removed, and there is a new sanitary pump out.

Police Department

- Improved relationship with the public.
- Improved working environment.
- Employees now have more opportunities to obtain training than they ever had. Lack of training was not only an issue or concern expressed by staff; it was an issue observed through quality, or lack thereof, of service that was provided.
- Record Improvements - With the help of some of the new technology, creation of new policy and upholding policy already in place, we have improved upon the way we maintain and manage department records.
- Technology advancement - APPD has changed from being behind every department in the Coastal Bend to leading the way for the police agencies of tomorrow.

16. CITY MANAGER UPDATES: JASON GILDEN - 2ND CHANCE BOXING CLUB; ARANSAS COUNTY APPRAISAL DISTRICT PRO-RATA SHARE, TCEQ INSPECTION UPDATES.

City Manager Carrillo stated she had recently found out the City was paying for 2nd Chance Boxing Club's utilities, which according to Bond Council was in violation to State Statute to give anyone free utilities. She stated the boxing club sits in (R-7A) Residential and the boxing club was considered recreational. She stated staff recommends working with 2nd Chance Boxing to bring the building into compliance with all regulatory requirements and to immediately stop paying 2nd Chance Boxing Clubs utilities.

17. CITIZENS' COMMENTS

Name: Mr. Mike Moore

Address:

Concern: None

Departments Affected:

Discussion: Mr. Moore commented the city was making Aransas Pass better because of new city leader (Sylvia Carrillo) and new members on City Council.

Name: Mr. Mack Oliver

Address:

Concern:

Departments Affected:

Discussion: Mr. Oliver stated he came to tonight's meeting to save face. He stated he had a verbal agreement with former Mayor for free water usage. He stated at the December 16, 2013 City Council meeting, Council made a motion to back charge Oliver's Tai Kwon Do on water usage resulting in a bill for 4,230

18. RECESS OPEN MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.

Mayor Chapa recessed the Open Meeting and retired into Executive Session at 8:29 PM

A. SECTION 551.072 – DELIBERATIONS REGARDING REAL PROPERTY – GRANT ERICKSON - CONN BROWN HARBOR – REQUEST OF 165 LINEAR FEET

B. SECTION 551.074 – DELIBERATIONS REGARDING PERSONNEL – CITY MANAGER – 1 YEAR EVALUATION AND POSSIBLE CONTRACTUAL DRAFTING

19. RECONVENE IN OPEN MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.

Mayor Chapa reconvened the Open Meeting at 10:02 PM

A. SECTION 551.072 – DELIBERATIONS REGARDING REAL PROPERTY – GRANT ERICKSON – CONN BROWN HARBOR – REQUEST OF 165 LINEAR FEET

Motion made by: No action taken

Seconded by:

Aye:

Nay:

**B. SECTION 551.074 – DELIBERATIONS REGARDING PERSONNEL – CITY
MANAGER – 1 YEAR EVALUATION AND POSSIBLE CONTRACTUAL DRAFTING**

Motion made by: No action taken

Seconded by:

Aye:

Nay:

20. ADJOURNMENT OF MEETING.

Made motion by: Council member Gomez

Seconded by: Council member Ellis

Aye: Gomez, Ellis, Hyatt, Abrego

Nay:

Mayor Chapa adjourned the meeting at 10:03 PM

Adan Chapa, Mayor

Yvonne Stonebraker, City Secretary